

IN THE UNITED STATES PATENT OFFICE

PATENT APPLICATION

Applicant(s): Anthony Scott Oddo et al.

Serial No.: 10/552,784

I.A. Application No.: PCT/US04/10311

I.A. Filing Date: 04/02/2004

For: CONTENT NOTIFICATION AND DELIVERY

Group Art Unit: Unknown **Examiner:** Unknown

Confirmation #: Unknown

Attorney Docket No.: SEDN/PRED115

MAIL STOP PETITIONS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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6/7/2006

Date

Laura E. Crater
LAURA E. CRATER

SIR:

PETITION FOR FILING OF PATENT APPLICATION
WHEN JOINT INVENTOR(S) REFUSES TO JOIN IN APPLICATION OR CANNOT BE
REACHED UNDER 37 C.F.R. §1.47(a)

This Petition is submitted pursuant to 37 CFR 1.47(a) when joint inventor(s) refuses to join in application or cannot be reached under 37 C.F.R. §1.47(a). Joint inventors Oddo and Perdon have joined in the application. Joint inventors Nathaniel J. Thurston (hereinafter "Thurston"), Devin F. Hosea (hereinafter "Hosea") and Thomas J. Renger (hereinafter "Renger") either refuse to join in the application or cannot be reached.

Declarations of William D. McCall, Chief Executive Officer of Sedna Patent Services, LLC (hereinafter "Company"), and Yvette Thornton, Patent Agent of Company, are submitted in support of this Petition. As shown by the records of the United States Patent Office (see Declaration of William D. McCall) Company is successor in interest to Predictive Media Corporation, formerly Predictive Networks, Inc. (Predictive Media Corporation and Predictive Networks, Inc. hereinafter referred to as "Predictive"). The invention of this application was made by non-signing inventors

Thurston, Hosea and Renger when they were employed by Predictive. They are no longer employed by Predictive and are not employed by Company. Pursuant to Agreements with Predictive, Thurston, Hosea and Renger were obligated to assign all their right, title and interest in and to any and all inventions relating to Predictive's business "... developed or reduced to practice during the period of time they were in the employ of" Predictive. Thurston, Hosea and Renger did assign U.S. provisional patent application Serial No. 60/459,933 to Predictive, but as set forth in the Declaration of Yvette Thornton, although presented with the application papers, Thurston, Hosea and Renger either refuse to join in the application or cannot be reached. Predictive assigned provisional patent application Serial No. 60/459,933 and International Application PCT/US04/10311 to Company.

The last-known addresses of the non-signing inventors are:

Nathaniel J. Thurston
1 North End Avenue, Suite 1115
New York, New York 10281
And
40 Cedar Street, No. 2 Right
Somerville, Massachusetts 02143
And
68 Pearson Road, #2
Somerville, MA 02144

Devin F. Hosea
300 Western Way
Princeton, New Jersey 08540
And
3 Gloucester Street, No. 10
Boston, Massachusetts 02115

Thomas J. Renger
5555 Melrose Avenue, HART 302
Hollywood, California 90038.

It is submitted that the Declarations of William D. McCall and Yvette Thornton establish (1) that Thurston, Hosea and Renger either refuse to join in the application or cannot be reached, (2) that Company has sufficient proprietary interest in the matter to justify Company's filing of the application for patent on behalf of and as agent for Thurston, Hosea and Renger, (3) that filing by Company is necessary to preserve the rights of Company. Accordingly, Company respectfully requests that this Petition Under 37 CFR 1.47(a) be granted and that the Commissioner accept filing of this application by the signing inventors on behalf of themselves and the non-signing inventors.

Please charge the \$200 Petition Fee as required by 37 CFR §1.17(g) to counsel's Deposit Account No. 20-0782/PRED115. Please also charge any underpayment or credit any overpayment of fee to deposit account number 20-0782/SEDN/PRED115. [As to fees, see also transmittal of materials in response to

Notification of Missing Requirements Under 35 U.S.C. 371 in the United States
Designated/Elected Office (DO/EO/US).]

Respectfully submitted,



Eamon J. Wall, Attorney
Reg. No. 39,414
(908) 530-9404

Dated: 6/6/08

PATTERSON & SHERIDAN, LLP
595 Shrewsbury Avenue, Suite 100
Shrewsbury, New Jersey 07702
Telephone: 732-530-9404
Fax: 732-530-9808